IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No. 4986 of 2005

Sanju R Kedare . petitioner

vs

Indian Oil Corpn Ltd and ors.. respondents

Ms S.D.Khot for petitioner

CORAM;A.P.SHAH & D.Y.CHANDRACHUD JJ.

Dated l.8.2005

P.C:

. Heard the learned counsel for the petitioner. Perused the record . The challenge is to the order issued by the respondent no.l Corporation dated 5.l.2005 awarding SKO/LDO dealership in favour of the respondent no. 2. It appears that pursuant to an advertisement issued by the respondent no.l on l3.9.2000, the petitioner and respondent no.2 filed applications for SKO\LDO dealership alongwith others and the Selection Committee, after interviewing the candidates has declared a merit panel of 3 candidates.The said panel consisted of respondent no.2, one Arvind Ganpat Dhadake and the petitioner in the order of merit. Accordingly the Letter of Intent was issued to the candidate first in the order of

merit i.e. respondent no. 2. There is no challenge to the merit panel declared by the selection committee but what the petitioner contends is that as per the terms of the Letter of Intent, respondent no. 2 ought to have obtained requisite licences from various authorities within a period of two months and since he failed to furnish the said licences within the prescribed period, the dealership ought not to have been awarded to the respondent no.2. We find absolutely no substance in the contention of the petitioner. The respondent .no. 2 was required to obtain licences from various authorities and if some delay had occurred in obtaining the said licences, respondent no. 2 cannot be blamed for the same .The respondent no. l in his discretion has condoned the delay and accepted the licences and awarded the dealership to the respondent no. 2 and he has already commenced his business of dealership. No interference is therefore called for under Article 226 of the Constitution. Petition is dismissed.

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